

Attorney Docket No. SteffanE_P_1_03
Reply to Final Office action of January 25, 2005

Application No. 10/614,304

AMENDMENTS TO THE CLAIMS

Claims 1 – 22 are pending in the application.

Claims 11 - 18 are allowed.

Claims 5, 11, and 20 are objected to.

Claims 1 - 4, 6 -10, 19, and 20 are hereby cancelled complying with Examiner's comments.

Claim 21 is new.

(Claim 21 recites now cancelled independent Claim 19 including all of the limitations of objected to dependent Claim 20 now cancelled.)

Claims 11 -18 have all been amended for the sole purpose of assuring consistent claim language in that each was amended to replace the phrase "hand-cart/golf-bag" by "golf-cart/golf-bag."

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Please Note: Claim 5 is tentatively (at Examiner's discretion) submitted as an independent claim, based on the fact that the dovetail attachment appears to be recognized by Examiner as one of the points of novelty. If the Examiner does not agree that Claim should be allowed as an Independent Claim, would Examiner please make an Examiner's amendment and cancel Claim 5. Thank you.

Listing of Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Canceled)

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (currently amended) A foldable ~~hand~~ golf-cart/golf-bag, comprising:

a) a golf-bag having an upper outer surface region;

b) a first mounting member shaped in a sliding dovetail manner, said first mounting member fixedly attached to said upper region of said upper outer surface of said golf-bag, and

c) a second mounting member shaped in a sliding dovetail manner complementary to said first mounting member, said second mounting member fixedly attached to said upper end of said golf-cart main frame;

wherein said first mounting member engages with second mounting member in sliding dovetail fashion, providing for secure, reversible mounting of said golf-bag on

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said golf-cart providing for said golf-bag to maintain a stable vertical position in a rest position free from the need for mounting straps or mounting biasing members.

6. (Canceled)

7. (Canceled)

8. (Canceled)

9. (Canceled)

10. (Canceled)

11. (currently amended) A foldable golf-bag transporting ~~hand~~golf-cart/golf-bag assembly, comprising:

a) a golf-bag having a base region and an outer surface, said outer surface having upper and lower regions;

b) a first mounting member shaped in a sliding dovetail manner fixedly attached to said upper region of said outer surface of said golf-bag;

c) a third mounting member fixedly attached to said base region of said golf-bag;

d) a foldable golf-cart having a main frame, said main frame having an upper and a lower end;

e) a second mounting member shaped in a sliding dovetail manner complementary to said first mounting member fixedly attached to said upper end of said golf-cart main frame;

f) a fourth mounting member fixedly attached to said lower end of said golf-cart main frame;

wherein said first mounting member engages with second mounting member in sliding dovetail fashion, and

wherein said third mounting member adapted for fitting engagement engages with fourth mounting member adapted to engage with third mounting member;

wherein said the engagement of the first and second members and the third and fourth mounting members provides for secure, reversible mounting said golf-bag on said golf-cart thus enabling said golf-bag to maintain a stable vertical position in a rest position free from the need for mounting straps or mounting biasing members.

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12. (currently amended) The foldable ~~hand~~golf-cart/golf-bag, as recited in Claim 11, said golf-cart further comprising:

a foldable handle rotably attached to said upper end of said main frame of said golf-cart,

wherein said handle may be opened for use or may be folded.

13. (currently amended) The foldable ~~hand~~golf-cart/golf-bag, as recited in Claim 11, said golf-cart further comprising:

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wherein said axle and said wheels may be retracted inwardly to a fully closed position providing for said bag/cart assembly to be wheeled through narrow passageways.

16. (currently amended) The foldable ~~hand~~golf-cart/golf-bag, as recited in Claim 11, further comprising:

- a) compartments on said outer surface of said golf-bag, and
- b) said main frame of said golf-cart shape-adapted to accept said bag having said compartments;

wherein said compartments are easily accessed when said bag having said compartments is mounted on said cart.

17. (currently amended) The foldable ~~hand~~golf-cart/golf-bag, as recited in Claim 13, wherein said platform further comprises:

- a) an underside;
- b) a leg member mounted to said underside;

wherein said leg member is adapted to rest on the ground surface when said platform is in an open, horizontal position supports said platform in a horizontal position ensuring the vertical at rest position of the golf-bag mounted on the golf-cart.

18. (currently amended) The foldable ~~hand~~golf-cart/golf-bag, as recited in Claim 12, further comprising:

- a) at least one spreader brace having a first end and a second end;

wherein the first end of the spreader brace is rotably attached to the upper end of the main frame of the cart and the second end of the spreader brace is rotably attached to the foldable handle;

wherein the spreader brace may lock the foldable handle in an open position.

19. (canceled)

20. (canceled)

21. (new) A mounting assembly for retrofitting a golf-bag and a golf-bag transporting golf-cart to form a golf-bag/golf-cart transporting assembly, comprising:

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1. (Corresponds to O.A. No. 4) The alternative rejection of Claim 1 (as recited in Applicant's reply to first Office Action filed 12/14/2004) under 35 USC § 102(b) as being anticipated by Jamieson *et al.* (U.S. Patent No. 2,647,762) is respectfully traversed.

According to MPEP 706.02(b) a rejection based on 35 U.S.C. 102(b) can be overcome by persuasively arguing that the claims are patentably distinguishable from the prior art. Therefore, as all the elements of the claim in question are not present in Jamieson *et al.* patent, the claim in question is not anticipated by Jamieson *et al.*, and is, thus, patentably distinguishable from the art disclosed by Jamieson *et al.*

With respect to Claim 1, Claim 1 encompasses a:

"A foldable golf-bag transporting golf-cart/golf bag - assembly, comprising:

- a) a golf-bag;
- b) a foldable golf-cart, and
- c) mounting means for securely, reversibly mounting said golf-bag on said golf-cart, where said mounting means provide for said bag to maintain a stable vertical position in a rest position free from the need to use mounting straps or biasing mounting members." [Emphasis added].

To reiterate: Applicant's claims a golf-bag/golf-cart assembly mounting means that provides for said bag to maintain a stable vertical position in a rest position free from the need to use mounting straps or biasing mounting members.

The meaning of "rest position" is clear from a reading of the specification as filed, as shown in the relevant paragraphs, copies of which are given below.

[0008] Another shortcoming of the hand-carts presently in use is experienced when a golfer places the golf-cart with its attached golf-bag in a rest position at a particular hole. In order for this type of cart and bag to be stable while standing upright, the cart and bag must be placed in a position that results in the bag and cart being at some angle less than ninety degrees to the ground surface. This means that the golf clubs in the golf-bag must lean one upon another making underlying clubs difficult to identify and to retrieve. There are some golf-bag carts that hold the golf-bag in a more vertical position, but these bags are structurally unstable and likely to fall over. Thus, clearly, there is a need for a transporting hand-cart and golf-bag assembly that can maintain a stable, vertical, resting position so that a golfer can easily identify the required

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a) a first mounting member shaped in a sliding dovetail manner for affixable attachment to an upper end of a golf-bag;

b) a second mounting member shaped in a sliding dovetail manner complementary to said first mounting means affixable attachment to an upper end of a main frame of a golf-cart;

wherein said first mounting member is engagable with said second mounting member in sliding dovetail fashion, and

c) a third mounting member having a shaped recess to be affixedly attached to a lower end of said golf-bag;

d) a fourth mounting member having a shaped protrusion adapted to fit into said shaped recess of said third mounting member affixedly attachable to a lower end of said main frame of said golf-cart;

wherein said third mounting member is reversibly mountable onto said fourth mounting member,

e) said first mounting member and said second mounting member adapted to securely reversibly engage with each other, and

f) said third mounting member and said fourth mounting member adapted to securely reversibly engage with each other, and

g) said first mounting member reversibly mountable onto said second mounting member;

h) said third mounting member reversibly mountable onto said fourth mounting member,

wherein the reversible mounting of the first and third mounting members onto the second and fourth members, respectively provides for secure, reversible mounting of said golf-bag on said golf-cart free from the need to use straps, a biasing mounting member, or moveable mounting parts.